

ORIGINAL

JUDGE ABRAMS

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

JAMES GARCIA,

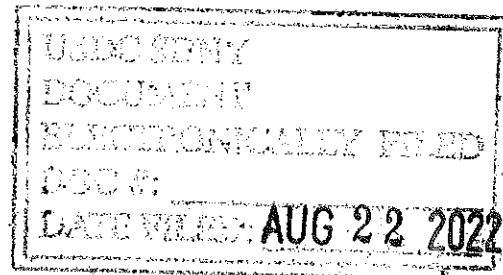
Defendant.

INDICTMENT

22 Cr.

22 CRIM 450

COUNT ONE
(Bank Theft)



The Grand Jury charges:

1. On or about June 17, 2022, in the Southern District of New York, JAMES GARCIA, the defendant, did take and carry away with intent to steal and purloin money exceeding \$1,000, belonging to and in the care, custody, control, management and possession of a bank whose deposits were then insured by the Federal Deposit Insurance Corporation ("FDIC"), to wit, GARCIA entered a TD Bank branch located in the vicinity of 885 Avenue of the Americas, New York, New York, the deposits of which were then insured by the FDIC, and carried away with intent to steal approximately \$235,965.

(Title 18, United States Code, Sections 2113(b) and 2.)

FORFEITURE ALLEGATION

2. As a result of committing the offense alleged in Count One of this Indictment, JAMES GARCIA, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code,

Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), any and all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of said offense, including but not limited to: a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offense.

Substitute Assets Provision

3. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third person;

c. has been placed beyond the jurisdiction of the Court;

d. has been substantially diminished in value; or

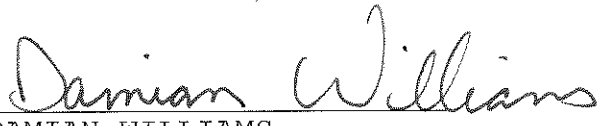
e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 981;

Title 21, United States Code, Section 853; and
Title 28, United States Code, Section 2461.)


FOREPERSON


DAMIAN WILLIAMS
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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Defendant.

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22 Cr.

(18 U.S.C. §§ 2113(b) and 2.)

DAMIAN WILLIAMS

United States Attorney

Joan Hoffman

Foreperson

08/22/2022

(CA)

INDICTMENT FILED
WHEREA. DS ABRAMS

KH PARKER

USMJ